

SENATE BILL No. 188

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-6.

Synopsis: Solicitation of minors. Provides that a person commits child solicitation if the person knowingly or intentionally solicits an individual to engage in sexual acts whom the person believes to be less than 14 years of age. Provides that in a prosecution for child solicitation or attempted child solicitation, the state is not required to prove that the person's solicitation of the child: (1) took the form of urging; or (2) was intended to result, at or near the time of the urging, in illicit sexual contact.

Effective: July 1, 2002.

Zakas, Bray

January 7, 2002, read first time and referred to Committee on Judiciary.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 188

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-42-4-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. **(a)** A person
3 eighteen (18) years of age or older who knowingly or intentionally
4 solicits a child under fourteen (14) years of age, **or an individual the**
5 **person believes to be a child under fourteen (14) years of age**, to
6 engage in:
7 (1) sexual intercourse;
8 (2) deviate sexual conduct; or
9 (3) any fondling or touching intended to arouse or satisfy the
10 sexual desires of either the child or the older person;
11 commits child solicitation, a Class D felony. However, the offense is
12 a Class C felony if it is committed by using a computer network (as
13 defined in IC 35-43-2-3(a)).
14 **(b) In a prosecution under this section, the state is not required**
15 **to prove that the person's solicitation of the child:**
16 **(1) took the form of urging; or**
17 **(2) was intended to result, at or near the time of the urging,**



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1 **in:**

2 **(A) sexual intercourse;**

3 **(B) deviate sexual conduct; or**

4 **(C) any fondling or touching intended to arouse or satisfy**
5 **the sexual desires of either the child or the older person.**

6 **SECTION 2. [EFFECTIVE JULY 1, 2002] IC 35-42-4-6, as**
7 **amended by this act, applies only to crimes committed after June**
8 **30, 2002.**

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